IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

TRACEY SCOTT MASSAY, #29491-177	**§**	
VS.	**§**	**CIVIL ACTION NO. 5:05cv7**
UNITED STATES OF AMERICA, ET AL.	**§**	

ORDER OF PARTIAL DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven, who issued a Report and Recommendation for the disposition of the lawsuit. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is accordingly

ORDERED that the motion to dismiss by the Bureau of Prisons and F.C.I. Texarkana (docket entry #19) is **GRANTED**. It is further

ORDERED that the Plaintiff's claims against the Bureau of Prisons and F.C.I. Texarkana are **DISMISSED** with prejudice. It is finally

ORDERED that the Plaintiff may proceed with his Federal Tort Claims Act claim against the United States of America.

SIGNED this 10th day of August, 2005.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE